

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**EZEQUIEL VILLA-GUTIERREZ,**

**Defendant.**

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**8:07CR112**

**ORDER**

This matter is before the court on defendant's motion for additional time to file pretrial motions [21]. Upon consultation with Chief Judge Bataillon, and noting that substitute counsel recently entered an appearance,

**IT IS ORDERED** that the motion [21] is granted, as follows:

1. Defendant is given until and including **July 6, 2007** to file substantive pretrial motions.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **June 25, 2007 and July 6, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

**DATED June 25, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**